IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND SEVEN

PRESENT
THE HON'BLE SRI JUSTICE BILAL NAZKI
and
THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION No.26966 of 2005

Between:

M/s.Hari Chandana Agro Tech Ltd.,
Kesarapally, Gannavaram Mandal,
Krishna District.

..... PETITIONER

AND

1.The Commercial Tax Officer,
Vuyyuru, Krishna District and another.

.....RESPONDENTS

The Hon'ble Sri Justice Bilal Nazki
and
The Hon'ble Sri Justice S.Ananda Reddy

Writ Petition No.26966 of 2005

Order: *(per the Hon'ble Sri Justice Bilal Nazki)*

The grievance of the petitioner is that the respondents are insisting on deposit of 12.5% of the disputed tax in terms of Section 19 of the A.P.G.S.T. Act.

The learned Counsel for the petitioner contends that since the petitioner was eligible for a Tax Holiday and exemption available to him was adjusted, he is not liable to

pay any tax.

Without going into the controversy, on merits, we have noted that this Writ Petition is pending in this Court for the last two years and as a result, the appeal filed by the petitioner before the second respondent is also not disposed of.

In this view of the matter, we direct the respondent-authorities not to insist on payment and to decide the appeal expeditiously after hearing the parties. The petitioner shall appear before the second respondent-appellate authority on 21-06-2007 without further notice from the second respondent-appellate authority, who may thereafter fix the date for hearing

The Writ Petition is, accordingly, disposed of. No costs.

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(Bilal Nazki, J)

7TH June, 2007

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(S.Ananda Reddy, J)

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